

The Court has authority to sell the property of the patient in proper cases. It is necessary to satisfy the Master that it is expedient to sell, and also to furnish him with evidence as to value. The Master—in a proper case—makes an Order directing the receiver to sell—and the receiver carries out the Order under the Master's instructions. For example, the Master will decide whether the sale is to be by public auction or private contract, will fix the reserve in case of auction, will settle the particulars and conditions for sale and the draft conveyance. The Order almost invariably directs that the proceeds of sale shall be lodged in Court.

In preparing conditions of sale care should be taken to ensure that the purchaser is aware that the sale is pursuant to an Order under the Lunacy Act, 1890 (or "53 Vic., c. 5" as it is always expressed), and that the purchase money has to be lodged in Court before completion.

The Order to sell will, in cases where it is applicable, direct the receiver to exercise a lunatic-mortgagee's power of sale under any mortgage of the land in question.

It is not necessary to submit the answers to requisitions to the Master for approval, but it is necessary to submit the draft conveyance to the Master for approval and subsequently

produce the
engrossment of the conveyance to the
Master for
sealing, it being necessary for the
solicitor to certify
that the engrossment has been
examined with the
draft and is correct.

Where the lunatic is a trustee (either
as holding
land as a co-owner upon the statutory
trusts con-
tained in the Law of Property Act,
1925, or other-
wise), an application for leave to
appoint a new